IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 19206 of 2004

Between:

S.M.K.Ayyavu Gurukkul, S/o S.M.K. Parasurama Gurukkul,
Sri Kalahasteeswara Temple, Srikalahasti, Resident of Srikalahasti

..... PETITIONER

AND

1 The Joint Collector-cum-Settlement Officer, Chittoor (Previously Nellore)
2 South Andhra Inthuren Church rep.by Mr R.Sundaram,
Chariman Board of Trustees

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ more particularly one in the nature of Writ of Certiorari by quashing the proceedings dated 3-8-2004 in S.R.No.24/56(1)/81 before the 1st respondent i.e. Joint Collector cum Settlement Officer, Chittoor.

Counsel for the Petitioner:MR.M.V.KRISHNA MOHAN

Counsel for the Respondent No.1: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER

By the impugned notice dated 3.8.2004 the petitioner was called upon to appear before the Joint Collector-Cum-Settlement Officer, Chittoor-first respondent herein on 21.8.2004 and failing to do so, orders will be passed on the material available on record. Questioning the same, the present writ petition is filed.

Pursuant to the impugned notice, petitioner could have appeared before the first respondent and pursued the proceedings. Instead of doing so, he filed the present writ petition on 13.10.2004 questioning the impugned notice. Since the impugned order is only a notice calling upon the petitioner to appear before the first respondent to put forth his case, I see no infirmity in the impugned notice.

Accordingly, the writ petition is dismissed. However, it is always open for the petitioner to appear before the first respondent and put forward his arguments in the matter. No costs.

A. GOPAL REDDY. J.

10th November, 2004

tsr.

To

1 The Joint Collector-cum-Settlement Officer, Chittoor (Previously Nellore)
2. Two C.C.s to Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).

3. Two C.D. copies.